

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Commerce and Transportation, to which was referred House Bill No. 1287, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Page 2, delete lines 1 through 12.
- 3 Page 2, delete lines 21 through 42, begin a new paragraph and insert:
- 4 "SECTION 2. IC 9-13-2-173.3 IS ADDED TO THE INDIANA
- 5 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2006]: **Sec. 173.3. "State highway system"**
- 7 **has the meaning set forth in IC 8-23-1-40.**
- 8 SECTION 3. IC 9-21-8-49 IS AMENDED TO READ AS
- 9 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 49. Except as provided
- 10 in sections 50, 51, 52, ~~and~~ 54, **and 55** of this chapter, a person who
- 11 violates this chapter commits a Class C infraction.
- 12 SECTION 4. IC 9-21-8-55 IS ADDED TO THE INDIANA CODE
- 13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 14 JULY 1, 2006]: **Sec. 55. A person who operates a vehicle in a**
- 15 **highway worksite zone:**
- 16 **(1) in a reckless manner; or**
- 17 **(2) attempting to endanger the safety or property of**
- 18 **individuals authorized by the Indiana department of**
- 19 **transportation or the appropriate local entities to be in a**
- 20 **highway worksite zone;**

1 **commits a Class A misdemeanor.**

2 SECTION 5. IC 9-22-1-11.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2006]: **Sec. 11.5. An officer who finds or is**
5 **notified of a vehicle or parts believed to be abandoned on a**
6 **highway that is part of the state highway system shall attach a**
7 **notice tag in a prominent place on the vehicle or part. The notice**
8 **tag must contain the following information:**

9 (1) **The date and time the notice is attached.**

10 (2) **The officer's name.**

11 (3) **The name, address, and telephone number of the public**
12 **agency or the Indiana department of transportation that may**
13 **be contacted for information.**

14 (4) **That the vehicle or parts are considered abandoned.**

15 (5) **That the vehicle or parts will be removed after**
16 **twenty-four (24) hours.**

17 (6) **That the person who owns the vehicle or parts will be held**
18 **responsible for all costs incidental to the removal, storage,**
19 **and disposal of the vehicle or parts.**

20 (7) **That the person who owns the vehicle or parts may avoid**
21 **costs described in subdivision (6) by removing the vehicle or**
22 **parts within twenty-four (24) hours.**

23 SECTION 6. IC 9-22-1-12 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 12. If a vehicle or a
25 part tagged under section 11 **or 11.5** of this chapter is not removed
26 within the ~~seventy-two (72) hour~~ **specified time** period, the officer shall
27 prepare a written abandoned vehicle report of the vehicle or parts,
28 including information on the condition, missing parts, and other facts
29 that might substantiate the estimated market value of the vehicle or
30 parts. Photographs shall be taken to describe the condition of the
31 vehicle or parts.

32 SECTION 7. IC 9-22-1-14.5 IS ADDED TO THE INDIANA
33 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2006]: **Sec. 14.5. (a) This section applies only**
35 **to an abandoned vehicle or parts abandoned on a highway in the**
36 **state highway system.**

37 **(b) If, in the opinion of the officer, the market value of the**

abandoned vehicle or parts determined in accordance with section 12 of this chapter is at least:

(1) five hundred dollars (\$500); or

(2) in a municipality that has adopted an ordinance under section 13(b) of this chapter, the amount established by the ordinance;

the officer, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the person who owns the vehicle or parts or who may be in control of the vehicle or parts.

(c) After twenty-four (24) hours, the officer shall require the vehicle or parts to be towed to a storage yard or towing service.

SECTION 8. IC 9-22-1-19, AS AMENDED BY P.L.104-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 19. (a) Within seventy-two (72) hours after removal of an abandoned vehicle to a storage yard or towing service under section 13, 14, **14.5**, or 16 of this chapter, the public agency or towing operator shall prepare and forward to the bureau an abandoned vehicle report containing a description of the vehicle, including the following information concerning the vehicle:

(1) The make.

(2) The model.

(3) The identification number.

(4) The number of the license plate.

(b) The public agency or towing operator shall request that the bureau advise the public agency or towing operator of the name and most recent address of the person who owns or holds a lien on the vehicle.

(c) Notwithstanding section 4 of this chapter, if the public agency or towing operator fails to notify the bureau of the removal of an abandoned vehicle within seventy-two (72) hours after the vehicle is removed as required by subsection (a), the public agency or towing operator:

(1) may not initially collect more in reimbursement for the costs of storing the vehicle than the cost incurred for storage for seventy-two (72) hours; and

(2) may collect further reimbursement under this chapter only for additional storage costs incurred after notifying the bureau of the

- 1 removal of the abandoned vehicle."
 - 2 Page 3, delete lines 1 through 40.
 - 3 Page 4, line 12, after "transportation" insert "**or the appropriate**
 - 4 **local entities**".
 - 5 Page 4, line 13, delete "IC 9-21-8-52(b));" and insert
 - 6 "**IC 9-21-8-55**);".
 - 7 Page 4, line 17, after "transportation" insert "**or the appropriate**
 - 8 **local entities**".
 - 9 Page 4, delete lines 19 through 25.
 - 10 Renumber all SECTIONS consecutively.
- (Reference is to HB 1287 as reprinted January 31, 2006.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

Landske

Chairperson